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In re Application of:  
SMIDER, Vaughn, V., et al.  
U.S. Application No.: 10/578,054  
PCT No.: PCT/US2004/036577  
International Filing Date: 02 November 2004  
Priority Date: 03 November 2003  
Atty Docket No.: 1016750053P  
For: A NON-FLUORESCENT, NON-  
ENZYMATIC, CHEM-  
ILLUMINESCENT AQUEOUS  
ASSAY

DECISION ON PETITION

The petition for revival under 37 CFR 1.137(b) filed 29 April 2009 in the above-captioned application is hereby **GRANTED** as follows:

The present application became abandoned due to applicants' failure to submit a proper response to the "Notification Of Missing Requirements" (Form PCT/DO/EO/905) mailed 31 January 2007 and the "Notification Of Defective Response" (Form PCT/DO/EO/916) mailed 04 February 2008. Specifically, applicants had failed to provide the additional sequence listing materials required by such Notifications, including an acceptable computer readable form (CRF) of the sequence listing.

The present petition was accompanied by the petition fee and the "required reply" in the form of required sequence listing materials, including an acceptable CRF of the sequence listing. In addition, the petition includes a statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional," satisfying the requirement of 37 CFR 1.137(b)(3).

Based on the above, the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the present national stage application is appropriately granted.

This application is being referred to the National Stage Processing Division of the Office of PCT Operations for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 28 June 2007.

A handwritten signature in black ink, appearing to read 'RM Ross', is positioned above the printed name.

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